



OFFICE OF THE DISTRICT ATTORNEY

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MARGARET MOORE
DISTRICT ATTORNEY

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FIRST ASSISTANT

February 13, 2018

Brian Manley-Chief of Police
Austin Police Department
P.O. Box 689001
Austin, Texas 78768-9001

LETTER DECLINING PROSECUTION AFTER INVESTIGATION

RE: Officer-Involved Shooting on April 7, 2017, by Austin Police Department Officers Paul Bianchi, Jordan Wagstaff, Dane O'Neill, and Marcos Johnson involving Lawrence Parrish.

Dear Chief Manley:

The Office of the Travis County District Attorney ("District Attorney") has reviewed the Austin Police Department Special Investigation Unit (APD SIU) investigation of the above-referenced matter and concluded our independent review of the officer-involved shooting in which Austin Police Department Officers Paul Bianchi, Marcos Johnson, Dane O'Neill, fired their rifles and Officer Jordan Wagstaff fired his shotgun at Lawrence Parrish while responding to a 911 call about a disturbance with a gun. Lawrence Parrish was shot, but survived his injuries. This letter is to inform you that the District Attorney declines to prosecute Officers Paul Bianchi, Jordan Wagstaff, Dane O'Neill, and Marcos Johnson for their actions during this incident.

The District Attorney monitored and reviewed the investigation of the Austin Police Department into this incident pursuant to the officer-involved shooting protocol that is posted on its official website. A copy of this letter will also be posted on the District Attorney official website.¹

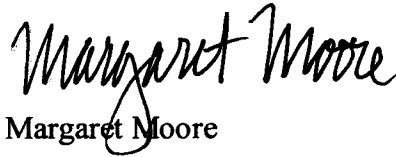
Lawrence Parrish was charged with Aggravated Assault and Aggravated Assault of a Public Servant arising out of this incident, and his cases are pending.

The Civil Rights Division of this office has a policy of issuing declination letters setting out a thorough factual and legal analysis of the officer-involved shooting where the elected District Attorney has determined a grand jury review of the officer's use of force is not necessary. However, when there are pending criminal cases arising out of these incidents, the accused's right to a fair trial and prosecutorial

¹ <https://www.traviscountytexas.gov/district-attorney/cru>

ethical rules prohibit the release of information.² Therefore, our analysis will be published after the criminal matters against Mr. Parrish are resolved.

Very truly yours,

A handwritten signature in black ink that reads "Margaret Moore". The signature is written in a cursive, flowing style. The first name "Margaret" is written in a larger, more prominent script, and the last name "Moore" is written in a slightly smaller, more compact script. The signature is positioned above the printed name "Margaret Moore".

Margaret Moore

² Texas Disciplinary Rules of Professional Conduct 3.07(a). "The Rules of Professional Conduct state that trial attorneys have a duty to ensure a trial free from the taint of publicity by specifically prohibiting a lawyer from making statements that may materially prejudice an adjudicatory proceeding," Edward L. Wilkinson, *Legal Ethics & Texas Criminal Law* 86 (2006)(citing Tex. Disciplinary R. Prof'l Conduct 3.07(a) & cmt 1).